



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE Mountain-Prairie Region

FWS/R6  
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MAILING ADDRESS:  
Post Office Box 25486  
Denver Federal Center  
Denver, Colorado 80225

STREET LOCATION:  
134 Union Blvd.  
Lakewood, Colorado 80228

JAN 12 2000

Mr. Noah Greenwald  
Center for Biological Diversity  
P.O. Box 710  
Tucson, Arizona 85702

Dear Mr. Greenwald:

This acknowledges receipt of your petition dated December 14, 1999, to list the Colorado River cutthroat trout (*Oncorhynchus clarki pleuriticus*) as threatened or endangered in its occupied habitat within its known historic range, in accordance with provisions in section 4 of the Endangered Species Act. Director Clark received the petition on December 16, 1999, and it has been assigned to Region 6 for response.

Section 4 of the Act provides that, to the maximum extent practicable, the Fish and Wildlife Service has 90 days to decide whether a petition contains substantial information that would indicate that the petitioned action may be warranted. However, because of staff and budget limitations, we have developed a Listing Priority Guidance document that was published in the Federal Register on October 22, 1999 (64 FR 57114). I have enclosed a copy for your information. Processing of petitions are classified as a "Priority 4" activity, behind emergency listing (Priority 1), processing final decisions on proposed listings (Priority 2), and resolving the status of candidate species (Priority 3).

Your petition has been assigned to the Lakewood, Colorado, Ecological Services Field Office. At this time, staff in that office are fully engaged in numerous other activities that preclude working on this petition. Although we have not received our Fiscal Year 2000 budget allocation for listing activities as of this date, we assume that other higher priority listing activities, such as preparation of final listing rules, 12-month petition findings and court ordered due dates will consume our allocation. At this time, my staff is processing two court-ordered critical habitat designations, five final listing actions, four proposed listing rules, and two administrative petition findings for petitions received prior to the receipt of your petition (see enclosed table). We will endeavor to process a finding on your petition as quickly as possible.

Mr. Noah Greenwald

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Thank you for your interest in conserving wildlife resources.

Sincerely,

A handwritten signature in cursive script, reading "Ralph O. Moynihan". The signature is written in dark ink and is positioned above the typed name.

Regional Director

Enclosures